

UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION

UNITED STATES OF AMERICA

v.

EMONNIE DION BRANCH

No. 3:12-00099  
Chief Judge Haynes

*ORD 24*  
*This motion*  
*is DENIED.*  
*without prejudice*  
*to refile if*  
*the parties*  
*at the time of*  
*trial have*  
*not*  
*stipulated*  
*to the*  
*facts*  
*material*  
*to the*  
*Defendant's*  
*alleged*  
*felony status*  
*Will*  
*11-26-12*

**DEFENDANT'S MOTION *IN LIMINE* REGARDING PRIOR CONVICTIONS**

Defendant Emmonie Branch moves the Court to enter an order providing that, in the event Mr. Branch stipulates that he has been convicted of a crime punishable by imprisonment exceeding one (1) year, the Government may not refer to, introduce evidence of, or elicit testimony about the name or nature of Mr. Branch's prior convictions in the presence of the venire or jury for any purpose, including impeachment, but may only refer only to his stipulation.

**FACTS**

Mr. Branch has been indicted for one count of being a felon in possession of a firearm in violation of 18 U.S.C. §§ 922(g)(1) and 924.

Mr. Branch has filed a motion requesting the Government to give notice whether it intends to introduce evidence of prior convictions for impeachment but has not yet received a response to that motion. Mr. Branch therefore does not know which, if any, such convictions the Government intends to introduce.

To the best of his knowledge, Mr. Branch has felony convictions for attempted possession of a controlled substance (Nevada, February 20, 2001), drug trafficking (Nevada, November 20, 2001), and felon in possession of a weapon (Tennessee, January 7, 2009).